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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

Ronald C Tatum

Plaintiff(s),

v.

10 Roads Express  
925 W 175<sup>th</sup> Street, Homewood  
IL 60430

Defendant(s).

1:21-cv-06732  
Judge John Z. Lee  
Magistrate Judge Beth W. Jantz  
RANDOM

**RECEIVED****DEC 17 2021**

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

**COMPLAINT OF EMPLOYMENT DISCRIMINATION**

1. This is an action for employment discrimination.
2. The plaintiff is Ronald C Tatum of the  
county of Cook County in the state of IL.
3. The defendant is 10 Roads Express, whose  
street address is 925 W 175<sup>th</sup> Street,  
(city) Homewood (county) Cook (state) IL (ZIP) 60430  
(Defendant's telephone number) (708) - 333 - 8400
4. The plaintiff sought employment or was employed by the defendant at (street address)  
925 W 175<sup>th</sup> Street (city) Homewood  
(county) COOK (state) IL (ZIP code) 60430

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5. The plaintiff [*check one box*]

- (a) ☐ was denied employment by the defendant.
- (b) ☐ was hired and is still employed by the defendant.
- (c) ☒ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about, (month) 10, (day) 24, (year) 2020.

7.1 (*Choose paragraph 7.1 or 7.2, do not complete both.*)

- (a) The defendant is not a federal governmental agency, and the plaintiff [*check one box*] ☒ has ☐ has not filed a charge or charges against the defendant

asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

- (i) ☒ the United States Equal Employment Opportunity Commission, on or about

(month) 11 (day) 2 (year) 2020

- (ii) ☒ the Illinois Department of Human Rights, on or about

(month) 9 (day) 30 (year) 2021.

- (b) If charges *were* filed with an agency indicated above, a copy of the charge is attached. ☐ Yes, ☐ No, **but plaintiff will file a copy of the charge within 14 days.**

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

- (a) the plaintiff previously filed a Complaint of Employment Discrimination with the

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defendant asserting the acts of discrimination indicated in this court complaint.

☒ Yes (month) 11 (day) 2 (year) 2020

☐ No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month) 09  
(day) 30 (year) 2021.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,

☐ Yes ☐ No, but a copy will be filed within 14 days.

(ii) Final Agency Decision

☐ Yes ☐ No, but a copy will be filed within 14 days.

8. (Complete paragraph 8 only if defendant is not a federal governmental agency.)

(a) ☐ the United States Equal Employment Opportunity Commission has not issued a *Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued a *Notice of Right to Sue*, which was received by the plaintiff on (month) 9 (day) 30 (year) 2021 a copy of which *Notice* is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [***check only those that apply***]:

(a) ☒ Age (Age Discrimination Employment Act).

(b) ☐ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

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- (c) ☐ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☐ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)

10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).

11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.

12. The defendant [***check only those that apply***]

- (a) ☐ failed to hire the plaintiff.
- (b) ☒ terminated the plaintiff's employment.
- (c) ☐ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ failed to stop harassment;
- (g) ☒ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): *it was disciplined for 2 infractions*

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*that others have done and not disciplined for  
I complained to Respondent it sounds like  
Discrimination, for making decisions its  
part of Dispatch*

13. The facts supporting the plaintiff's claim of discrimination are as follows:

*Hire Date 4-6-1998 10-24-2020  
I work for Eagle Express / 10 Roads for 22 years  
missed 11 days of work, and 2 write ups all  
in 2020 11 days due to covid, also was ask to  
work extra every week due to covid coverage as  
much as 60-65 hours a week during 2020  
1 additional Page*

14. **[AGE DISCRIMINATION ONLY]** Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.
15. The plaintiff demands that the case be tried by a jury. ☒ Yes ☐ No
16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff **[check only those that apply]**
- (a) ☐ Direct the defendant to hire the plaintiff.
  - (b) ☐ Direct the defendant to re-employ the plaintiff.
  - (c) ☐ Direct the defendant to promote the plaintiff.
  - (d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.
  - (e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.
  - (f) ☐ Direct the defendant to (specify): \_\_\_\_\_

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

## AFTER VISIT SUMMARY



Ronald Tatum MRN: E993507 10/24/2020 Franciscan Health Olympia Fields Emergency Dept 708-747-4000

## Instructions

**Read the attached information**

Stress (English)

**Follow up with Marie M Baird, DO**

Why: Follow-up on the outpatient mental health resources provided to you today

Specialty: Family Medicine

Contact: 3700 W 203RD ST

STE 301

Olympia Fields IL 60461

708-679-2850

15:45

**Follow up with Franciscan Physician Network Internal Medicine**

Specialty: Internal Medicine

Contact: 20121 Crawford Ave

Olympia Fields Illinois 60461-1009

708-679-2512

Office is located a quarter mile south of the intersection of Vollmer and Crawford on the east side of Crawford.

## Today's Visit

You were seen by Lydia Edokpayi-Aluyi, MD

## Reason for Visit

Anxiety

## Diagnosis

Acute stress reaction

## Your End of Visit Vitals



Blood Pressure

165/93



Weight

220 lb



Height

6'



Temperature (Oral)

97.6 °F



Pulse

76



Respiration

15



Oxygen Saturation

100%

## What's Next

You currently have no upcoming appointments scheduled.

## Changes to Your Medication List

You have not been prescribed any medications.

## MyChart

View your After Visit Summary and more online at <https://franciscanmychart.org/mychart/>.





## Attached Information

Stress (English)

### Stress

Stress is a normal reaction to life events. Stress is what you feel when life demands more than you are used to, or more than you think you can handle. Some stress can be useful, such as studying for a test or meeting a deadline at work. Stress that occurs too often or for too long can cause problems. It can affect your emotional health and interfere with relationships and normal daily activities. Too much stress can weaken your body's defense system (*immune system*) and increase your risk for physical illness. If you already have a medical problem, stress can make it worse.

#### What are the causes?

All sorts of life events can cause stress. An event that causes stress for one person may not be stressful for another person. Major life events, whether positive or negative, commonly cause stress. Examples include:

- Losing a job or starting a new job.
- Losing a loved one.
- Moving to a new town or home.
- Getting married or divorced.
- Having a baby.
- Injury or illness.

Less obvious life events can also cause stress, especially if they occur day after day or in combination with each other. Examples include:

- Working long hours. ✓
- Driving in traffic.
- Caring for children.
- Being in debt.
- Being in a difficult relationship.

#### What are the signs or symptoms?

Stress can cause emotional symptoms, including:

- Anxiety. This is feeling worried, afraid, on edge, overwhelmed, or out of control. ✓
- Anger, including irritation or impatience.
- Depression. This is feeling sad, down, helpless, or guilty.
- Trouble focusing, remembering, or making decisions. ✓

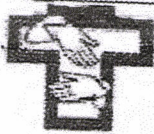
Stress can cause physical symptoms, including:

- Aches and pains. These may affect your head, neck, back, stomach, or other areas of your body.
- Tight muscles or a clenched jaw.
- Low energy.
- Trouble sleeping.

Stress can cause unhealthy behaviors, including:

- Eating to feel better (*overeating*) or skipping meals.
- Working too much or putting off tasks.





# Franciscan HEALTH

## Olympia Fields

FRANCISCAN HEALTH OLYMPIA FIELDS EMERGENCY DEPT

FRANCISCAN HEALTH OLYMPIA FIELDS  
FRANCISCAN HEALTH OLYMPIA FIELDS EMERGENCY DEPT  
20201 S CRAWFORD AVE  
OLYMPIA FIELDS IL 60461-1010  
Phone: 708-747-4000

October 24, 2020

Patient: Ronald Tatum  
Date of Birth: 3/1/1961  
Date of Visit: 10/24/2020 15:45

To Whom It May Concern:

Ronald Tatum was seen and treated in our facility on 10/24/2020.  
He may return to work on 10/27/20.

Additional Information:

If you have any questions or concerns, please don't hesitate to call.

Attending Physician

Edokpayi Aluyi, Lydia, MD



Ronald Tatum &lt;ronandroco@gmail.com&gt;

**Fw: Melt Down**

1 message

**Ron Tatum** <RTatum@10roadsexpress.com>

To: "ronandroco@gmail.com" &lt;ronandroco@gmail.com&gt;

Sun, Oct 25, 2020 at 8:10 PM

**From:** Ron Tatum <RTatum@10RoadsExpress.com>**Sent:** Sunday, October 25, 2020 7:43 AM**To:** HR Eagle <hr@eagleexpresslines.com>**Subject:** Fw: Melt Down**From:** Ron Tatum <RTatum@10RoadsExpress.com>**Sent:** Sunday, October 25, 2020 5:24 AM**To:** Rico Prestia <RPrestia@10RoadsExpress.com>**Subject:** Fw: Melt Down

Do you want me to come in today 10-25

**From:** Ron Tatum**Sent:** Saturday, October 24, 2020 8:21 PM**To:** Eagle LOA <loa@eagleexpresslines.com>**Cc:** Jeff Natelborg <JNatelborg@10RoadsExpress.com>**Subject:** Melt Down

i did not quit, and lam not quitting during course of busy the day a couple of strange moment where I could hear my heartbeat it went away after a minute or 2 the third one round 15:10 did not I became emotional afraid on edge overwhelmed at the time I was trying to answer Gino & Dutch in the 3rd floor conference room It got appoint where I could hear my heartbeat and became emotional scared confused on what i was going through I had to walk out back to my desk it got worse I said I had it i stood up Dutch ask if I was ok I got up and walked out crying as walked me to to the door .i new something was wrong I drove myself to the ER and was treated for Stress and Anxiety attack .

*Dutch***Melt Down.pdf**

1616K



## 13. The Facts supporting Plaintiffs

On ~~10-24-2020~~ <sup>Saturday</sup> 10-24-2020 I had acute Anxiety Attack at work I had to leave, I notified my Boss Jeff Natelborg stating what was happening, he ask if I was going to the hospital I said I think I need to Jeff told me to calm down before driving I arrived <sup>15:00</sup> to the Hospital, was treated and released at 19:40 with paper work stating treatment, and a return to work slip on 10-27-20. all paper work was Emailed to HR LOA and Jeff Natelborg. HR notified me Monday 10-26- stating they were accepting me leaving to seek help as my resignation because a Manager on duty heard me say I was tapping out soon, I think I'm going to die I can hear my heart beat, the Manager on duty Richard Patterson did not provide help or concern of my Medical condition Richard was more concerned in getting me out of the Building. This Saddens Me I started with Eagle Express Lines 4-06-1998 to 10-24-2020, 22 years of dedicated service, I did not resign despite what a Manager claim he heard when I was having my attack it does not give 10 Roads the right to violate my right FMLA, possible work comp.



[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- (g) ☐ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.
- (h) ☐ Grant such other relief as the Court may find appropriate.

Ronald C Tatum  
(Plaintiff's signature)

RONALD C TATUM  
(Plaintiff's name)

17841 HOWE AVE  
(Plaintiff's street address)

(City) Homewood (State) IL (ZIP) 60430

(Plaintiff's telephone number) 708-625-7183

Date: 12-17-21

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC <b>440-2020-06555</b>	
<b>ILLINOIS DEPARTMENT OF HUMAN RIGHTS</b> and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) <b>RONALD TATUM</b>		Home Phone <b>(708) 625-7183</b>	Year of Birth <b>1961</b>
Street Address City, State and ZIP Code <b>17841 HOWE AVENUE, HOMEWOOD, IL 60430</b>			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>EAGLE EXPRESS LINES / 10 ROADS EXPRESS</b>		No. Employees, Members <b>501+</b>	Phone No. <b>(708) 333-8400</b>
Street Address City, State and ZIP Code <b>925 W. 175TH STREET, HOMEWOOD, IL 60430</b>			
Name		No. Employees, Members	Phone No.
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input checked="" type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest                      Latest <b>03-23-2020    10-24-2020</b> <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). <b>I began my employment with Respondent in 1998. My most recent position was Supervisor. In March 2020 and July 2020, I was disciplined for infractions that others have not been disciplined for. I complained of discrimination to Respondent. Subsequently, on or about October 24, 2020, I was discharged.</b>  <b>I believe I have been discriminated against because of my age, 59 (YOB: 1961), and in retaliation for engaging in protected activity, in violation of the Age Discrimination in Employment Act of 1967, as amended.</b>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.  I declare under penalty of perjury that the above is true and correct.  <b>Digitally signed by Ronald Tatum on 11-02-2020 03:01 PM EST</b>		NOTARY - When necessary for State and Local Agency Requirements  I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT  SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: **Ronald Tatum**  
**C/O Steven J. Molitor**  
**LAW OFFICE OF JULIE O. HERRERA**  
**53 W. Jackson Blvd**  
**Suite 1615**  
**Chicago, IL 60604**

From: **Chicago District Office**  
**230 S. Dearborn**  
**Suite 1866**  
**Chicago, IL 60604**

☐

On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

**AMENDED**

**Shuwn Hayes,**  
**Investigator**

**440-2020-06555****(312) 872-9733**

(See also the additional information enclosed with this form.)

## NOTICE TO THE PERSON AGGRIEVED:

**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

☒

More than 180 days have passed since the filing of this charge.

☐

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

☒

The EEOC is terminating its processing of this charge.

☐

The EEOC will continue to process this charge.

**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

☒

The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.

☐

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

*Julianne Bowman/eh*

9/30/2021

Enclosures(s)

**Julianne Bowman,**  
**District Director**

(Date Issued)

cc:

**Madison Throneberry**  
**Assistant Corporate Counsel**  
**EAGLE EXPRESS LINES/10 ROADS EXPRESS LLC.**  
**200 Owen Pkwy Circle**  
**Carter Lake, IA 51510**